

Thomas-Jensen Affirmation

Exhibit # 76

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF NEW YORK, et al.,

Plaintiffs,

C.A. No. 25-cv-39-JJM-PAS

v.

**DECLARATION OF
BEVERLY WALKER-
GRIFFEA, PH.D.
(MICHIGAN)**

DONALD TRUMP, et al.,

Defendants.

I, Beverly Walker-Griffea, Ph.D., pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct:

1. I am the Director of the Michigan Department of Lifelong Education, Advancement and Potential (MiLEAP). In this role, I oversee the Office of Early Childhood Education, Office of Higher Education, and Office of Education Partnerships. MiLEAP's mission is to establish and implement a statewide vision for lifelong education from preschool to postsecondary, including expanding equitable access to quality, affordable programs and services and improving outcomes for all Michiganders in early learning and care and higher education.

2. I have personal knowledge of the matters set forth below or have knowledge of the matters based on my review of information and records gathered by my staff.

Michigan Department of Lifelong Education, Advancement and Potential

3. MiLEAP is state agency that focuses on preparing children for kindergarten and helping more people earn a skill certificate or degree post-high school.

4. MiLEAP receives approximately \$600 million from the federal government each year.

5. For fiscal year 2025, MiLEAP has been award the following federal financial assistance through federal grant programs:

Program name	Associated Federal agency	FY 25 allocation
Child Care Development Funds	ACF	~\$490M
IDEA Part B, 619	US Ed	~\$14M
IDEA Part C	US Ed	~\$14M
21 st Century Community Learning Centers	US Ed	~\$40M
Preschool Development Grant	ACF	~\$12M
Head Start Collaboration Office	US Ed	~\$225k

6. MiLEAP's budget for this year has relied on the federal funds listed above, and, based on the anticipated receipt of this federal funding, MiLEAP made plans and allocated funding for childcare providers of 42,000 children from working families and for MiLEAP staffing.

Child Care Development Funds

7. Child Care Development Funds are drawn down weekly from the federal government, with the next expected drawn down scheduled for this week. These funds are quickly distributed to childcare providers across Michigan

that provide services for approximately 42,000 children statewide. If the federal government prohibits the release for Child Care Development Funds, MiLEAP will be unable to draw down and send out the funds to the care providers, immediately impacting the care providers' ability to meet payroll and provide services for the 42,000 children they serve.

8. Additionally, some MiLEAP staff are paid with a majority of Child Care Development Fund block grants, and a cessation of those funds will affect funding for those positions, in turn affecting MiLEAP's ability to provide services to Michigan's childcare providers and families.

Impacts of the OMB Memo

9. The Office of Management and Budget's (OMB) memorandum titled "Memorandum for Heads of Executive Departments and Agencies," issued on January 27, 2025, M-25-13, (the "OMB Memo"), immediately affected federally funded childcare programs in Michigan, including programs where federal funding flows through MiLEAP and Head Start, where federal funding flows directly to providers.

Effects of the OMB Memo on programs where federal funding flows through MiLEAP

10. Immediately after the OMB Memo was issued, MiLEAP began hearing from advocates and providers of childcare programs for which federal funding flows through MiLEAP. Those advocates and providers expressed confusion and concern about MiLEAP's ability to draw and send federal funds.

11. These concerns were not without merit. The payment management system, in which MiLEAP draws federal funds, was shut down Tuesday, January 28, 2025. MiLEAP was able to draw funds when it came back up on Wednesday, January 29, 2025.

Effects of the OMB Memo on Head Start Programs

12. Immediately after the OMB Memo was issued, MiLEAP also began hearing from advocates and providers of Head Start programs, which serve 30,000 children in Michigan and in which federal funds flow directly to the providers, not through MiLEAP. Those advocates and providers expressed confusion and concern about their ability to draw federal funds.

13. As of the signing of this declaration, MiLEAP understands that some Head Start providers still have not received requested federal funds. Those providers have stated that, without the requested funds, they will be forced to immediately cease operations.

Impacts of a pause in federal funding

14. MiLEAP continues to be concerned that the funding will again be delayed or denied because most of our federally funded programs received a notice from their federal counterparts that the Court had issued a Temporary Restraining Order.

15. A pause in our federal funding would have a direct, immediate, and adverse impact on MiLEAP's ability to operate the programs listed above and on

Michigan's children who are the intended beneficiaries of the federal financial assistance that flows through these programs.

16. In the next month, starting on February 7, 2025, MiLEAP is scheduled to receive disbursements of over \$40 million under our current federal grants.

17. If the federal funding is again paused, blocked, denied, or delayed suddenly, MiLEAP will be unable to send out the funds to the care providers, immediately impacting the care providers' ability to meet payroll and provide services for the 42,000 children they serve.

18. Additionally, because some MiLEAP staff are paid with a majority of Child Care Development Fund block grants, a cessation of those funds will affect funding for those positions.

19. MiLEAP also continues to hear from advocates and providers of Michigan's Head Start program. The federal funds for this program flow directly to the providers, not through MiLEAP. However, Head Start providers—who serve approximately 30,000 children in Michigan—have advised MiLEAP that if Head Start funding does not continue to flow to some these providers, it will immediately impact their operations, causing the necessary reduction of staff, reduction of services for children, and potential closure (permanent or temporary depending on the provider).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 5, 2025



Beverly Walker-Griffiea, Ph.D.
Director, MiLEAP